



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

June 21, 2021

**VIA CM/ECF AND EMAIL**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: *United States v. Haji Najibullah, et al.*, 14 Cr. 401 (KPF)**

Dear Judge Failla:

The Government writes to respectfully request a brief additional adjournment of the July 22, 2021 conference to a date approximately two weeks thereafter. The Government makes this request in order to facilitate the appearance at the conference by one of the undersigned, none of whom can be present on the currently scheduled date due to unavoidable conflicts, including competing trials. The Government is also continuing to work diligently to resolve the question of whether additional charges will be sought against Mr. Najibullah, and this brief period of additional time will allow the parties and the Court to proceed with greater efficiency in the coming months, and as well as to ensure that any questions or concerns the Court may have at the next conference can be addressed by a prosecutor with knowledge of the relevant facts.

If the Court grants the requested adjournment, the Government further requests that time be excluded in the interests of justice under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from July 22, 2021 until the date set for the conference in order to provide the defendant with additional time to review discovery—which the Government has continued to produce on a rolling basis—and to consider the need for any potential pretrial motions. The defendant, through counsel, has consented to the exclusion of time.

Per the Court's individual rules, the Government is submitting a proposed Order in Microsoft Word format as to the exclusion of time under the Speedy Trial Act.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By: /s  
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Application GRANTED. The conference scheduled for July 22, 2021, is hereby ADJOURNED to August 12, 2021, at 10:30 a.m. The Court will currently issue an Order as to the exclusion of time under the Speedy Trial Act.

Dated: June 22, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE